

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

CHARLES BRANDON MARTIN

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Petitioner

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v

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Civil Action No. JRR-20-2602

JEFFREY NINES and  
THE ATTORNEY GENERAL OF THE  
STATE OF MARYLAND

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Respondents

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**MEMORANDUM**

This matter is before the Court on Respondents' Motion to Alter/Amend Judgment (ECF No. 40). No hearing is necessary. On December 14, 2023, the Court granted Petitioner Charles Brandon Martin's Petition for writ of habeas corpus on Claim One. ECF No. 37, 38. The Order vacated Martin's state court conviction and remanded the matter to Anne Arundel County for a new trial. ECF No. 38. On January 8, 2024, Respondents filed a Motion to Alter/Amend requesting that the Judgment be altered because the Court lacks authority to vacate the state court judgment. ECF No. 40. Petitioner has not opposed the motion. It was the Court's intention to grant a conditional writ of habeas corpus. The Court agrees with Respondent in that ECF No. 38 could be construed as an unconditional grant of the writ. In an Order to be issued contemporaneously with this Memorandum, ECF No. 38 will be vacated and a new Order granting the writ will be issued to indicate that the Circuit Court for Anne Arundel County is to hold a new trial within sixty (60) days or Petitioner shall be released.

\_\_\_\_\_/S/\_\_\_\_\_  
Julie R. Rubin  
United States District Judge